



Order Filed on August 21, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

CXE 16-015613
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ASSOCIATION, AS TRUSTEE, FOR LEHMAN
MORTGAGE TRUST MORTGAGE PASS THROUGH
CERTIFICATES SERIES 2006-2

In Re:

NICHOLAS PEZZA AND JEANETTE PEZZA,
DEBTORS

Case No.: 23-14796-RG

Judge: HONORABLE ROSEMARY
GAMBARDELLA

Chapter: 13

CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: August 21, 2023

A handwritten signature in black ink, appearing to read "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

This matter being opened to the Court by Robert Cameron Legg, attorney for the Debtor(s), upon filing of a Chapter 13 Plan, and U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2, hereinafter "Secured Creditor," by and through its Authorized Agent, LOGS Legal Group LLP, upon the filing of an Objection to Confirmation of Plan, and the parties having subsequently resolving their differences with regard to the Debtors' Chapter 13 Plan; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and the Court considered the parties' application for entry of this Consent Order, and for other good cause shown,

1. Debtor(s) is the mortgagor, and Secured Creditor is the mortgagee, of an agreement secured by real property located at 878 River Drive, Elmwood Park, NJ 07407, *which said mortgage loan will mature during the plan term.*
2. At the time of bankruptcy filing, Debtor(s) owed Secured Creditor a total claim of \$379,418.60; as evidenced in Secured Creditor's Proof of Claim No. 8 filed on August 3, 2023.
3. Debtor(s) will apply through Secured Creditor's Servicing Agent for a loan modification on the mortgage loan secured by 878 River Drive, Elmwood Park, NJ 07407.
4. This loan modification review shall be completed by September 13, 2023, or as further ordered by the Court.
5. Starting July 1, 2023, Debtor(s) shall pay post-petition loss mitigation adequate protection payments, which currently are in the amount of \$3,699.41 per month, per the Order entered June 21, 2023, directly to Secured Creditor.
6. If a loan modification is not offered by September 13, 2023, or as further ordered by the Court, Debtor must within fourteen (14) days of thereof: 1) modify the Chapter 13 Plan to fully pay Secured Creditor's total claim of \$379,418.60 as filed in Proof of Claim No. 8, at 5.875% interest; or 2) modify the Chapter 13 Plan to surrender the subject property; or 3) Convert to a Chapter 7 case. *If the provisions of this paragraph are not complied with, the case may be dismissed upon motion of the Trustee, with notice to Debtors' Counsel and the Debtor(s).*
7. If the Debtor(s) fail to comply with this Consent Order or make any payments detailed in this Consent Order within sixty (60) days of the date the payment is due, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing a Motion to Vacate the Automatic Stay the Bankruptcy Court, specifying the Debtors' failure to comply with the Consent Order, with a copy of any motion, supporting certification and proposed Order to be served on the Chapter 13 Standing Trustee, Debtors' Counsel and the Debtor(s) as required by the local bankruptcy rules.
8. Secured Creditor agrees this Consent Order resolves the Objection to Confirmation of Plan filed on June 12, 2023; ECF Doc.:18.
9. This Consent Order is hereby incorporated into Debtor(s)' Chapter 13 Plan and any Order Confirming Chapter 13 Plan as may be entered by the Court.

We hereby consent to the form, content, and entry of the within Order.

LOGS Legal Group LLP

/s/Elizabeth L. Wassall

Date: August 16, 2023

Elizabeth L. Wassall, Esquire
Attorney for the Secured Creditor

/s/ Cameron Legg

Date: 8/15/23

Robert Cameron Legg, Esquire
Attorney for the Debtors